

Charter
U.S. Department of State
Overseas Security Advisory Council

1. Committee's Official Designation.

The official designation shall be the State Department Overseas Security Advisory Council (Council).

2. Authority

The Council is established under authority of the Secretary of State pursuant to 22 U.S.C. § 2656 and in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App., and its regulations, 41 C.F.R. Part 102-3. The approval of this Charter by the Under Secretary for Management constitutes a determination by the Secretary of State that the activities of the Council are determined to be in the public interest and are directly related to overseas security functions of the Department of State.

3. Objectives and Scope of Activities

- A. To establish continuing liaison and to provide for operational security cooperation between State Department security functions and the Private Sector.
- B. To provide for regular and timely interchange of information between the Private Sector and the State Department concerning developments in the overseas security environment.
- C. To recommend methods and provide material for coordinating security, innovation, planning and implementation of security programs.
- D. To identify methods to mitigate risks to American private sector interests worldwide.

4. Description of Duties

The functions of the Council shall be solely advisory, and any determination or action to be taken that is the subject of any recommendations made by the Council or any of its members will in all cases be made by appropriate officers of the United States Government. The Council may, as appropriate, maintain liaison with organizations having related security interests, if requested to do so by the Assistant Secretary of State for Diplomatic Security. It may also maintain liaison with foreign organizations when approved by the Department of State.

5. Agency or Official to Whom the Committee Reports

The Council will report to the Secretary of State. Such reports may be oral or written.

6. Support

The Bureau of Diplomatic Security, Department of State, shall supply functions for the Council. The Diplomatic Security Service shall provide support staff, facilities and a professional research staff reporting to the OSAC.

7. Estimated Annual Operating Costs and Staff Years.

A. All funding necessary for the organization and operation of the Council will be charged to the Diplomatic and Consular Programs – Worldwide Security Protection Allotment of the Assistant Director for Threat Investigations and Analysis under the Director of the Diplomatic Security Service of the Department of State, or from such funds as shall otherwise be made available to that office for that purpose.

B. Representatives to the Council will serve at the expense of their respective organizations. Persons representing public agencies may, in accordance with applicable law and regulations, be allowed

transportation and per diem if so authorized in advance by the Department of State.

C. It is estimated that the Council and each committee established will hold not less than three meetings per fiscal year. Annual costs of administration of the Council are estimated at seven (7) full-time-employee years and \$3,610,000. This includes salaries, travel and per diem expenses.

8. Designated Federal Officer.

An Executive Director of the Council who is an officer of the Department of State shall be designated by the Department of State and shall serve as the Council's Designated Federal Officer. An alternate DFO may also be appointed. The DFO or alternate DFO will approve or call all of the advisory committee meetings and the meetings of any subcommittees; will prepare and approve all meeting agendas, attend all committee and subcommittee meetings; adjourn any meeting when the DFO or alternate DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Coordinator.

9. Estimated Number and Frequency of Meetings.

A. It is anticipated that meetings of the Council shall be held at the call of the Executive Director, not less than three times a year, in Washington D.C., unless an alternative location is selected by the Chairman. Subcommittees shall meet at the call of the respective Chairmen. Subcommittee meetings, if held overseas, will be coordinated in advance with the appropriate United States diplomatic post.

B. A member organization shall have one vote. A simple majority of representatives will constitute a quorum for a Council meeting. The actual attendance at sub-committee meetings shall constitute a quorum. Recommendations, plans and procedures shall be approved by majority vote, with notation of dissenting views.

C. Special invitees, representing particular regional, operational, or technical expertise, may attend Council or sub-committee meetings at the request of the Council Chairman. Security clearances may be required.

D. Meetings of the Council will be open to the public, unless a determination has been made in accordance with 5 U.S.C. § 552b that the meeting or a portion thereof should be closed to the public. Timely notice shall be published in the Federal Register stating the time, place, and purpose of meeting, whether the meeting is open or closed to the public, the reason for closing if a closed meeting, and the name, address, and telephone number of designated government employees that members of the public may contact for further information. Except in emergency situations, such notice shall be published at least 15 days in advance of the meeting day. If shorter notice is given, the reason therefore will be stated in the notice.

10. Duration.

It is anticipated that there will be a continuing need for the advice offered by this Council. The Department will periodically review this need.

11. Termination.

In accordance with Public Law 92-463, Section 14(a)(1), the Council will terminate two years from the date of filing of this , unless it is formally determined to be in the public interest to continue it for another two years.

12. Membership and Designation.

A. Membership

Membership on the Council shall include a diversified cross section of Private Sector organizations with international facilities or personnel, U.S. public agencies involved in security, and other groups with specific interest in and responsibility for worldwide security issues.

The Council shall consist of not more than thirty-four member organizations. Organizations to be represented on the Council shall be designated by the Assistant Secretary of State for Diplomatic Security. The Council membership shall be reviewed annually by the Assistant Secretary to assure balanced representation.

B. Representatives of Members.

Member organizations of the Council shall each nominate a representative and an alternate representative, if appropriate, to the Council. Representatives should be executives with international responsibilities who have substantial operational, technical and managerial experience in the fields of protective or industrial security. Representatives (and alternates) must have a SECRET clearance issued or recognized by the Department of State. Member organizations nominating representatives shall commit adequate time and resources for their representatives to participate fully in the work of the Council.

C. Officers

1. The Council Chairman shall be the Director of the Diplomatic Security Service. In the absence of the Chairman, he/she shall designate an alternate who shall be a federal official of a rank equivalent to that of the Chairman.
2. The Council shall have a Co-Chairman, selected from among the representatives of the Private Sector.
3. In addition to the Chairman and the Co-Chairman, three representatives selected from among the Council representatives and designated committee Chairmen shall serve as an Executive Working Group.

13. Subcommittees.

The Department may establish appropriate subcommittees or working groups to carry out assigned responsibilities, and shall provide such guidance and direction as is necessary and appropriate to ensure the effective functioning of such subcommittee or working group so


established. Any subcommittees must report to the Council, and must not provide advice or work products directly to the Department.

14. Recordkeeping.

Minutes shall be recorded and maintained in accordance with 41 C.F.R. § 102-3.165. The records of the Council and any subcommittees shall consist of all papers and documents pertinent to its establishment and activities, including its Charter, agenda, determinations for closed meetings, minutes, reports, and all documents related to its proceedings, including those of any study groups. The records shall be handled in accordance with General Records Schedule 26, Item 2. These records shall be available for public inspection and copying to the extent required by the Freedom of Information Act, 5 U.S.C. Sec. § 552, at the Department of State.

15. Filing date: *[filled in when filed]*

NOW, THEREBY, this Charter shall be considered approved by the Department of State as of this date and shall be provided to the Senate Foreign Relations Committee and the House Foreign Affairs Committee, and to the Library of Congress pursuant to the provisions of the FACA.

Approved: 
Patrick F. Kennedy
Under Secretary of State for Management

Date: October 21, 2010